

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

IN RE:	)	CHAPTER 13
Conchitter Hightower Gardner,	)	
	)	CASE NO.: 16-10063-WHD
	)	
DEBTOR.	)	

**MOTION TO DISMISS**

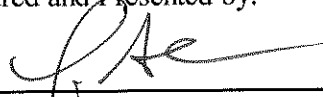
COMES NOW Melissa J. Davey, Trustee in the above styled matter, and respectfully shows the Court as follows:

1. Debtor has filed a petition for relief under Chapter 13.
2. Debtor has failed to comply with this Court's Order requiring regular monthly Plan payments. Debtor should have paid \$5,554.00. Debtor has paid a total of \$4,835.00, causing a delinquency of \$719.00. Debtor's Plan violates 11 U.S.C. §§ 1307(c)(1) and 1307(c)(6).
3. Debtor's Plan will exceed 60 months, in violation of 11 U.S.C. §§ 1307(c)(1) and 1307(c)(6); see also 11 U.S.C. § 1322(d).

WHEREFORE, Trustee respectfully requests this case be dismissed.

Dated: November 17, 2017

Prepared and Presented by:

/s/   
Jonathan S. Adams  
Attorney for Chapter 13 Trustee  
GA Bar No. 979073  
260 Peachtree Street, NW, Suite 200  
Atlanta, GA 30303  
(678) 510-1444 Phone  
(678) 510-1450 Fax

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

IN RE:	)	CHAPTER 13
Conchitter Hightower Gardner,	)	
	)	CASE NO.: 16-10063-WHD
	)	
DEBTOR.	)	

**NOTICE OF HEARING ON MOTION TO DISMISS**

A hearing on the Chapter 13 Trustee's Motion to Dismiss will be held December 21, 2017 at 9:15 am at the United States Courthouse in the 2nd Floor Courtroom, 18 Greenville Street, Newnan, GA 30263.

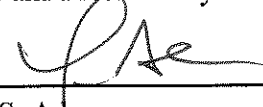
All written objections shall state the grounds therefor and shall be filed with the Clerk, United States Bankruptcy Court: 18 Greenville Street, 2nd Floor, Newnan, GA 30263.

A copy of any objection should be furnished to the Chapter 13 Trustee:  
Melissa J. Davey, Standing Chapter 13 Trustee, 260 Peachtree St NW, Suite 200, Atlanta, GA 30303.

Dated: November 17, 2017

Prepared and Presented by:

/s/

  
Jonathan S. Adams  
Attorney for Chapter 13 Trustee  
GA Bar No. 979073  
260 Peachtree Street, NW, Suite 200  
Atlanta, GA 30303  
(678) 510-1444 Phone  
(678) 510-1450 Fax

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

IN RE: ) CHAPTER 13  
Conchitter Hightower Gardner, )  
 ) CASE NO.: 16-10063-WHD  
 )  
 )  
DEBTOR. )

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served:

DEBTOR(S):

CONCHITTER HIGHTOWER GARDNER  
548 N. 3RD ST.  
GRIFFIN, GA 30223

DEBTOR(S) ATTORNEY:

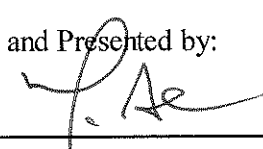
THE COCHRAN FIRM BKR, LLP  
SUITE 150  
547 PONCE DE LEON AVENUE  
ATLANTA, GA 30308

with a copy of the foregoing Motion to Dismiss together with the Notice of Hearing on the Motion to  
Dismiss by depositing in the United States Mail a copy of same in a properly addressed envelope  
with adequate postage thereon.

November 17, 2017

Prepared and Presented by:

/s/

  
Jonathan S. Adams  
Attorney for Chapter 13 Trustee  
GA Bar No. 979073  
260 Peachtree Street, NW, Suite 200  
Atlanta, GA 30303  
(678) 510-1444 Phone  
(678) 510-1450 Fax